

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Appeal to the Board of Patent Appeal and Interferences

In re PATENT APPLICATION of:			
Inventor(s):	SEED, Steven et al.		Atty. Dkt.: 2711-0040
Appln. No.:	10/073,938	Confirmation No. 5330	Group Art: 2443
Filing Date:	February 14, 2002		Examiner: Bilgrami, Asghar
Title of Invention:	MANAGED OBJECT REPLICATION AND DELIVERY		Date: April 21, 2009

Hon. Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1	<input checked="" type="checkbox"/>	NOTICE OF APPEAL: Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated 01/21/2009 of the Examiner twice/ finally rejecting claim(s) in this application or in this application and its parent application.
2	<input type="checkbox"/>	BRIEF on appeal in this application attached in <u>triplicate</u> (extendable up to 5 months).
3	<input type="checkbox"/>	An ORAL HEARING is respectfully requested under Rule 194 (due two months after Examiner's Answer – <u>unextendable</u>).
4	<input type="checkbox"/>	Reply Brief is attached in <u>triplicate</u> (due two months after Examiner's Answer – <u>unextendable</u>).
5	<input type="checkbox"/>	"Small entity" statement filed: <input type="checkbox"/> herewith <input type="checkbox"/> previously.
6	<input type="checkbox"/>	Fee <u>NOT</u> required if/since paid in prior appeal in which the Board of Patent Appeals and Interferences did <u>not</u> render a decision on the merits (35 USC 134).

7. FEE CALCULATION

If box 1 above is X'd	enter	\$540	\$ 540
If box 2 above is X'd	enter	\$500/\$250	\$
If box 3 above is X'd	enter	\$1000/\$500	\$
8. Original Due Date: April 21, 2009			
9. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached.	(1 mo)	\$120/\$60	
	(2 mos)	\$450/\$225	
	(3 mos)	\$1020/\$510	
10. Enter any previous extension fee <u>paid</u>			-
11. TOTAL FEE TO BE CHARGED TO OUR DEPOSIT ACCOUNT:			\$540

(Our Deposit Account No. 501860)

(Our Order No: 2711-0040)

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

CUSTOMER NUMBER
75948

Respectfully submitted,
/Brian Siritzky/Reg. No. 37,497

By:

Brian Siritzky, Ph.D.
Registration No.: 37,497

Davidson Berquist Jackson & Gowdey LLP